

JOHN T. AFFELDT (SBN 154430)  
TARA KINI (SBN 239093)  
JENNY PEARLMAN (SBN 224879)  
PUBLIC ADVOCATES, INC.  
131 Steuart Street, Suite 300  
San Francisco, California 94105  
Tel. (415) 431-7430  
Fax (415) 431-1048  
Email: jaffeldt@publicadvocates.org  
tkini@publicadvocates.org  
jpearlman@publicadvocates.org

JEFFREY SIMES (NY SRN 2813533), *pro hac vice* pending  
GOODWIN PROCTER LLP  
599 Lexington Avenue  
New York, New York 10022  
Tel: (212) 813-8879  
Fax: (212) 355-3333  
Email: jsimes@goodwinprocter.com

Attorneys for PLAINTIFFS  
(Additional attorneys listed on following page)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SONYA RENEE *et al.*,

Plaintiffs,

v.

MARGARET SPELLINGS, in her official capacity;  
UNITED STATES DEPARTMENT OF EDUCATION,  
Defendants.

Case No.

**PETITION OF MARIEL RUBIO  
FOR ORDER APPOINTING HER  
GUARDIAN AD LITEM**

Time:  
Date:  
Dept:

1 PATRICK THOMPSON (SBN 160804)  
2 NICOLE E. PERROTON (SBN 233121)  
3 ELIZABETH F. STONE (SBN 239285)  
4 GOODWIN PROCTER LLP  
5 101 California Street # 1850  
6 San Francisco, California 94111  
7 Tel: (415) 733-6000  
8 Fax: (415) 677-9041  
9 Email: [pthompson@goodwinprocter.com](mailto:pthompson@goodwinprocter.com)  
10

11 DAVID B. COOK, (DC BN 113522) application to appear *pro hac vice* pending  
12 GOODWIN PROCTER LLP  
13 901 New York Avenue, N.W.  
14 Washington, D.C. 20001  
15 Tel: (202) 346-4000  
16 Fax: (202) 346-4444  
17 Email: [dcook@goodwinprocter.com](mailto:dcook@goodwinprocter.com)  
18

19 Attorneys for PLAINTIFFS  
20  
21  
22  
23  
24  
25  
26  
27  
28

Petitioner Mariel Rubio respectfully represents:

1. Petitioner is the parent of Danielle Rubio, a minor. The minor is 16 years of age.

2. The minor has claims for relief against the above-named defendants on which a suit should be brought in this Court. The claims involve defendants' issuance of an unlawful regulation defining a "highly qualified" teacher as one who "is participating" in an alternative route to certification program, in violation of the Administrative Procedure Act (5 U.S.C. § 706).

3. The minor has no guardian of his/her person or estate.

4. Petitioner is willing to serve as the guardian ad litem for the minor, is fully competent to understand and to protect the rights of the minor and has no interest adverse to that of the minor.

WHEREFORE, petitioner prays that she be appointed guardian ad litem of DANIELLE RUBIO to prosecute this action for declaratory and injunctive relief, and for such other and further relief as the court may deem proper.

Dated: July 31, 2007

Mariel Rubio  
MARIEL RUBIO